

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes for February 17, 2009**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, February 10, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Pearson, Blackburn, Richard, Jackson, Preiss, Dias and Jasparro. Commissioners Filippi and Walker were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #050440: Mr. Arthur Stepfanopoulos, for the property located at 1818-1826 East Main Road in Portsmouth. ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Blackburn, to grant the following relief. The Applicant is granted a time variance of thirty-six months in which to provide a fire alarm and to upgrade the suppression in this facility. Any change of occupancy within that time period voids the variance, and the new occupant must bring the facility into compliance prior to occupancy. The motion passed over the objection of Commissioner Preiss.

APPEAL #060635: Edward and Jacqueline Alger, for the property located at 416-436 Buttonwoods Avenue, Warwick. ADSFM Peter

Marietti appeared for the Warwick Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook and Commissioner Dias, to grant the following relief. The Applicant is granted a time variance of thirty-six months in which to install an approved Ansul System in this facility. The Applicant is granted a time variance of six months in which to install domestic sprinklers to protect the building's boiler rooms. The motion passed over the objection of Commissioner Preiss.

APPEAL #090023: Sunnyside Associates, for the property located at 1551-1555 Centreville Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Jackson recused himself from consideration of this case. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to grant a variance to allow the Applicant to install domestic sprinklers over the furnaces and hot water tanks in lieu of the one hour separation, and a variance for the separation of the occupancies. The motion was unanimous.

APPEAL #060925: Mr. John H. Tillinghast, for the property located at 40 Safari Road, West Glocester (Building #1). DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook and Commissioner Jackson, to grant the following relief. The capacity of Building 1 will be set at 49 people. A variance is granted to allow the Applicant not to install a fire alarm in this building. The Applicant is

directed to install exit signs and emergency lighting and to install a fire extinguisher in the snack bar. The applicant is also directed to install an additional light/sign unit in the store located in this building.

These items shall be corrected prior to re-occupancy of the camp, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #060957: Mr. John H. Tillinghast, for the property located at 40 Safari Road, West Glocester (Building #2). DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook and Commissioner Jackson, to grant the following relief. The capacity of Building 2 will be set at 49 people. A variance is granted to allow the Applicant not to install a fire alarm in this building. The Applicant is directed to install exit signs and emergency lighting. These items shall be corrected prior to re-occupancy of the camp, at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.

APPEAL #070409: Mr. John H. Tillinghast, for the property located at 40 Safari Road, West Glocester (Building #3). DSFM Cynthia Dehler appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Jasparro and Dias, to grant the following relief. The Applicant is directed to have on hand a fire hose when bonfires of any size are lit. The Applicant is granted a variance not to install a fire alarm or exit signs, as this is an

open-air pavilion with open sides all around. The Applicant is directed to have portable fire extinguishers on hand any time the facility is occupied. The Applicant is further directed to install one emergency light at the center of the ceiling, permanently mounted and protected with a cage, at the direction and to the satisfaction of the State Fire Marshal's office prior to re-occupancy of the camp. The motion was unanimous.

APPEAL #060920: American Legion Post 34, for the property located at 22 Whipple Drive, Charlestown. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioners Dias and Jackson, to grant the following relief. The Applicant is granted a time variance of 120 days in which to correct the keyed deadbolt lock situation on the cited doors, to install the panic hardware on the double doors exiting the upstairs banquet hall, to remove the dead bolt on the rear exit door and to install hand rails at the cited locations. The Applicant is granted a time variance until December 31, 2009, in which to upgrade the manual pull stations to double action. The motion was unanimous.

Under Old Business: Mr. Paul Grenon, Deputy Administrator of MHRH, appeared to request additional time to comply with the sprinkler and fire alarm provisions of the code for 326 licensed facilities throughout the State. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. It was determined that a

subcommittee would be formed, would meet on March 17, and would present its plan of action, with timelines, to the full Board on March 17, 2009.

Under matters of correspondence: ADSFM Brian Gartland appeared pursuant to his February 12, 2009 letter to the Board regarding the municipal radio box changeover in North Smithfield. He testified that eight businesses in that town have yet to effect the change. DSFM Scott Caron appeared for the State Fire Marshal's office and noted that in the opinion of the State Fire Marshal's office, the AHJ had done due diligence and that sufficient time had been granted to the eight business owners to comply. The State Fire Marshal's office had no issue with the AHJ's cut-off date. No action is necessary by the Board.

**Respectfully submitted,
Carol Marsella
Deputy Director**